

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
No. 19-cv-2938 (SRN/LIB)

Lisa A. Biron,

Plaintiff,

v.

Kathleen Hawk Sawyer, Director Federal Bureau
of Prisons; Warden Nanette Barnes; Deanna Hiller,
Unit Manager,

Defendants.

**RESPONSE TO
MOTION TO AMEND**

Defendants oppose Plaintiff's Motion to Amend. Doc. 59. Plaintiff's Motion to Amend should be denied because it does not include "a copy of the proposed amended pleading" and "a version of the proposed amended pleading that shows—through redlining, underlining, strikeouts, or other similarly effective typographic methods—how the proposed amended pleading differs from the operative pleading." L.R. 15.1(b); *see also* Fed. R. Civ. P. 7(b) (requiring a motion to "state with particularity the grounds for seeking the order"); *Wolgin v. Simon*, 722 F.2d 389, 394 (8th Cir. 1983) ("The particularity requirement of Rule 7(b) is met by submitting a proposed amendment with the motion for leave to amend the complaint."). The requirements of Local Rule 15.1(b) enable parties to "direct their arguments to an actual, rather than a hypothetical, proposed amended complaint." *Mastermine Software, Inc. v. Microsoft Corp.*, No. 13-cv-971 (PJS/TNL), 2013 WL 12155289, at *2 (D. Minn. Oct. 8, 2013). "Plaintiff's pro se status does not excuse [her] from following the Federal Rules of Civil Procedure and the Local Rules of this Court." *See, e.g., Benson v. Fischer*, No. 17-cv-266 (DWF/TNL), 2019 WL 332434,

at *3 (D. Minn. Jan. 25, 2019) (citing *Bennett v. Dr. Pepper/Seven Up, Inc.*, 295 F.3d 805, 808 (8th Cir. 2002)).

Dated: May 28, 2020

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s/ Andrew Tweeten

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